

REMARKS:

Claims 1-18 are in the case and presented for consideration.

Rejection under 35 U.S.C. § 112(b) Second Paragraph:

On page 2 of the Action, claim 7 was rejected for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In response to said rejection claim 7 was amended so that it now only contains one range limitation.

Rejection under 35 U.S.C. § 102(b):

On page 3 of the Action, claims 1-6 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent 5,285,817 to Sigel (hereinafter “Sigel”).

Applicant respectfully disagrees with Examiner’s holding that Sigel anticipates the present invention. In order for a claim to be anticipated, all the elements of said claim must be disclosed withing a single prior art reference.

Unlike the present invention, which is meant for use in sealing a pipe having one or more substantial holes through the pipe wall, Sigel is meant for use in, and is designed for repairing, a damaged part at a connection between a pipe and an adjacent pipe.

Firstly, the Examiner erroneously refers to the sealing mass in Sigel as corresponding to the coating material claimed in present independent claims 1 and 18. In fact, the sealing mass does not coat at all, instead it is used as a filler to fill the damaged sections between the sheathing and the existing pipe at the intersection of subsidiary and main piping. (see Sigel at Figs. 3-4)

Additionally, Sigel does not disclose or suggest utilizing a material piece as an

auxiliary wall as in the present invention. The sheathing in Sigel, which corresponds to the material piece in the present invention, is instead used to form a lateral wall which traces the outer edge of the subsidiary pipe and creates a cavity for the sealing mass to fill, which repairs the joint between the subsidiary and main pipe.

Furthermore, Sigel does not move through a pipe in the manner claimed in claim 1 of the subject application. Sigel's very structure is designed to prevent the sheathing from moving through a pipe. Sigel states (and therefore teaches to the person of ordinary skill in the art):

"From FIG. 2, it can also be seen that the sheathing 4 is pushed into the subsidiary piping 8 or until the edge 9 makes flush contact with the screen 2 pushed onto the main piping 10. Thus, it is guaranteed that on the one hand the sheathing is not pushed too far into the subsidiary piping 8 and that on the other hand it does not protrude into the main piping 10 after the repair work has been carried out, thus reducing its serviceable diameter. Exact positioning understandably makes clean, qualitatively faultless repair of the damaged intersection 15 possible" Col.2 ln.16-24.

Therefore, Sigel could not be used to seek out a substantial hole along the entire length of a given pipe.

Therefore, because Sigel is missing at least one of the elements present in both independent claims 1 and 18 and because all other present claims depend either directly

or indirectly from claim 1, Sigel it cannot anticipate the present invention.

Rejections under 35 U.S.C. § 103(a):

Claims 7-13 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sigel in view of United States Patent 4,347,018 to Wrightson et al. (hereinafter "Wrightson"), Swedish reference to Kohichiro (hereinafter "SE'950") and Swedish reference to Edstrom ("SE'663"). However, because Sigel does not disclose all elements disclosed and claimed in the present invention, and because the missing elements are not disclosed by the cited secondary references either, these references they cannot serve as the basis of an obviousness rejections under 35 U.S.C. §103(a).

Additionally, even if one were to combine the elements of Sigel with any or all of the following:

1) the a plastic pipe piece made of glass reinforced polyester disclosed in Wrightson;

2) the repair sleeves with longitudinal slits disclosed in SE'950; or

3) a coating material containing wool or polyester material with glass flakes disclosed in SE'663,

the resulting device would still be incapable of accomplishing the object of the present invention.

This is so because Sigel's use of the bent screen, and adhesive on the outer surface of the sheathing would make it virtually impossible to move said device through a pipe. This means that the only holes such a device could fix would be those which were only a short distance from the opening. Therefore, a person of ordinary skill in the art

would not think to use the elements disclosed in Sigel in a device, the major purpose of which is to seek out and fix substantial holes anywhere along the length of a inaccessible pipe, because to do so would render such a device inoperable.

Accordingly, the application and claims are believed to be in condition for allowance, and favorable action is respectfully requested. If any issues remain, the Examiner is respectfully invited to contact the undersigned at the number below, to advance the application to allowance.

Respectfully submitted,

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